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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/838,428  | 04/19/2001  | Janani Janakiraman   | AUS920010015US1     | 3585             |
| 35525   | 7590        | 12/28/2005           | EXAMINER            |                  |
| IBM CORP (YA)<br>C/O YEE & ASSOCIATES PC<br>P.O. BOX 802333<br>DALLAS, TX 75380 |             |                      | RIES, LAURIE ANNE   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2176                |                  |

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                    |  |
|------------------------------|-------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/838,428 | Applicant(s)<br>JANAKIRAMAN ET AL. |  |
|                              | Examiner<br>Laurie Ries       | Art Unit<br>2176                   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 9/29/05.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-8,10-15 and 17-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-15 and 17-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed 29 September 2005, to the original application filed 19 April 2001.
2. The rejection of claims 1, 3-8, 10-15, and 17-21 under 35 U.S.C. 103(a) as being unpatentable over Cruz ("A User-Centered Interface for Querying Distributed Multimedia Databases") in view of Bulterman ("Embedded Video in Hypermedia Documents: Supporting Integration and Adaptive Control") has been withdrawn as necessitated by amendment and newly found prior art.
3. Claims 1, 3-8, 10-15, and 17-21 are pending. Claims 1, 8, and 15 are independent claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-6, 8, 10-13, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loui (U.S. Patent 6,813,618 B1) in view of Bergen (U.S. Patent 6,956,573 B1).

**As per claims 1, 8, and 15**, Loui discloses a method, system, and computer program product for presenting text from video to a user including receiving multimedia data containing a number of video frames and an associated number of sets of text data in the form of image content descriptors (See Loui, Column 5, lines 1-37), where the associated number of sets of text data are associated in time with the number of video frames (See Loui, Column 2, lines 1-5) where the number of sets of text data includes a first text data set associated with a first number of video frames of the multimedia data (See Loui, Column 5, lines 41-49), and a second text data set associated with a second number of moving video frames of the multimedia data (See Loui, Column 6, lines 33-37), extracting the associated number of sets of text data from the multimedia data (See Loui, Column 5, lines 41-49 and Column 6, lines 33-37), extracting a first video frame, from the number of video frames, associated with the first text data set to form a first still image (See Loui, Column 1, lines 61-65 and Column 5, lines 41-49), extracting a second video frame from the second number of video frames associated with the first text data set to form a second still image (See Loui, Column 1, lines 61-65, and Column 6, lines 33-37), outputting the first text data set in association with the first still image (See Loui, Figure 3, and Column 5, lines 41-49), and outputting the second text data set in association with the second still image (See Loui, Column 6, lines 33-37). Loui does not disclose expressly that the video frames or still images are captured from moving

video. Bergen discloses dividing a continuous video stream into a number of scenes (See Bergen, Abstract). Loui and Bergen are analogous art because they are from the same field of endeavor of manipulating multimedia data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to extract the video frames or still images of Loui from the continuous video stream of Bergen. The motivation for doing so would have been to provide scene-based information from the video to a user (See Bergen, Column 2, lines 29-32). Therefore, it would have been obvious to combine Bergen with Loui for the benefit of providing scene-based information from the video to a user to obtain the invention as specified in claims 1, 8, and 15.

**As per claims 3, 10, and 17,** Loui and Bergen disclose the limitations of claims 1, 8, and 15 as described above. Loui also discloses that the first text data set and the second text data set are presented in association with the first still image and the second still image respectively, to the user simultaneously (See Loui, Figure 3, elements 27 and 28, and Column 5, lines 44-46).

**As per claims 4, 11, and 18,** Loui and Bergen disclose the limitations of claims 3, 10, and 17 as described above. Loui also discloses that the albuming application has multiple pages that contain image and associated textual data. Figure 3 shows the overlapping pages in which separate sets of image and associated textual data may be displayed in separate portions of the static display (See Loui, Column 5, lines 42-44, and Figure 3, element 22).

**As per claims 5, 12, and 19**, Loui and Bergen disclose the limitations of claims 1, 8, and 15 as described above. Bergen also discloses that sets of video frames with associated text data may be presented sequentially (See Bergen, Column 10, lines 31-36). Loui and Bergen are analogous art because they are from the same field of endeavor of manipulating multimedia data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the sequential video frames with associated text data of Bergen with the method of presenting text from video to a user of Loui and Bergen. The motivation for doing so would have been to allow a user to follow the progression of the video in the form of still video frames so as to maintain the meaning of the presentation as it was originally produced. Therefore, it would have been obvious to combine Bergen with Loui and Bergen for the benefit of allowing a user to follow the progression of the video in the form of still video frames so as to maintain the meaning of the presentation as it was originally produced to obtain the invention as specified in claims 5, 12, and 19.

**As per claims 6, 13, and 20**, Loui and Bergen disclose the limitations of claims 5, 12, and 19 as described above. Loui also discloses that a user indicates when to display the next set of text data (See Loui, Column 6, lines 33-51, and Figure 5).

5. Claims 7, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loui (U.S. Patent 6,813,618 B1) in view of Bergen (U.S. Patent 6,956,573 B1) as

applied to claims 1, 8, and 15 above, and further in view of Cruz ("A User-Centered Interface for Querying Distributed Multimedia Databases").

**As per claims 7, 14, and 21**, Loui and Bergen disclose the limitations of claims 1, 8, and 15 as described above. Loui and Bergen do not disclose expressly parsing the multimedia data to determine the first text data set and the first video frame of the first number of moving video frames and discarding remaining moving video frames from the first number of moving video frames. Cruz discloses parsing the multimedia data to determine the first text data set and the one video frame of the number of video frames, as shown by the "Next" button provided in Figure 3, Page 593; and discarding any moving image data, which is accomplished by deselecting the "video" checkbox in Figure 2, Page 593. Loui, Bergen and Cruz are analogous art because they are from the same field of endeavor of manipulating multimedia data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the parsing of multimedia data and discarding of moving image data of Cruz with the method of presenting text from video to a user of Loui and Bergen. The motivation for doing so would have been to facilitate the retrieval of information while providing simple views that will not overwhelm users with unneeded complexity (See Cruz, Page 590, "Introduction", first paragraph). Therefore, it would have been obvious to combine Cruz with Loui and Bergen for the benefit of facilitating the retrieval of information while providing simple views that will not overwhelm users with unneeded complexity to obtain the invention as specified in claims 7, 14, and 21.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 3-8, 10-15, and 17-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Christel discloses interactive maps for a digital video library.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within



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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*12/21/2005*